

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

|                           |   |          |
|---------------------------|---|----------|
| UNITED STATES OF AMERICA, | ) |          |
|                           | ) |          |
| Plaintiff,                | ) | 8:06CR50 |
|                           | ) |          |
| v.                        | ) |          |
|                           | ) | ORDER    |
| RUDOLPH GEORGE STANKO,    | ) |          |
|                           | ) |          |
| Defendant.                | ) |          |
| _____                     | ) |          |

This matter is before the court on defendant's motion to dismiss the indictment, Filing No. 148. Defendant contends that the United States has failed to produce a signed Form SS-5 which would show that the accused is a member of the Social Security System. The court will deny this motion because such evidence, if relevant at all, will be weighed at the time of trial. Further, defendant is past the deadline for filing pretrial motions.

THEREFORE, IT IS ORDERED that defendant's motion to dismiss, Filing No. 148, is denied.

DATED this 3rd day of October, 2006.

BY THE COURT:

s/Joseph F. Bataillon  
Chief United States District Judge